

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 03-4212

IN RE: KENSINGTON INTERNATIONAL LIMITED and
SPRINGFIELD ASSOCIATES, LLC, Petitioners
(Related to U.S. Bankruptcy Court for the District of DE No. 00-03837)

and

No. 03-4526

IN RE: D.K. ACQUISITION PARTNERS, L.P.; FERNWOOD ASSOCIATES, L.P.;
DEUTSCHE BANK TRUST COMPANY AMERICAS, Petitioners
(Related to U.S. Bankruptcy Court for the District of DE No. 01-01139)

Present: FUENTES, SMITH and GARTH, Circuit Judges

ORDER

It is hereby **ORDERED** that the above-referenced cases shall be consolidated for disposition. The December 12, 2003 hearing scheduled in the Court's Order of November 21, 2003 shall include the parties to the petition filed at No. 03-4526. Additionally, all deadlines set forth in the Court's Order of November 21, 2003 for the petition at filed No. 03-4212 shall remain in effect.

It is **FURTHER ORDERED** in accordance with F.R.A.P. 21(b)(1) all Respondents affected by the Petition for Mandamus filed at No. 03-4526 are hereby ordered to answer the aforesaid Petition and to serve a copy of the Answer(s) on all parties. All Answers to the petition filed at no. 03-4526 shall be filed and served no later than noon on December 3, 2003. The original of each Answer shall be filed with the Clerk and a copy sent to each member of this Court's panel by Federal Express at the addresses of each member of the panel as follows:

Honorable Julio M. Fuentes
Martin Luther King Federal Bldg. & Courthouse
50 Walnut Street, Room 5032
Newark, New Jersey 07102

Honorable D. Brooks Smith
Allegheny Professional Center, Suite 203
1798 Old Route 220 North
Duncansville, PA 16635

Honorable Leonard I. Garth
Martin Luther King Federal Bldg. & Courthouse
50 Walnut Street, Room 5040
Newark, New Jersey 07102

It is **FURTHER ORDERED** in accordance with F.R.A.P. 21(b)(4), the District Court Judge is invited to address and respond to the Petition filed at No. 03-4526. The original of the District Court's response, if any, should be filed with the Clerk of this Court and with each member of the panel by Federal Express, if necessary, at the time and date above noted.

By the Court,

s/ Julio M. Fuentes

Circuit Judge

Dated: November 26, 2003

ghb/cc: Counsel of Record